

REMARKS

In view of the above amendments and the following remarks, reconsideration is requested.

The Examiner required a substitute specification because of the length of the changes made in the Amendment filed April 24, 2003. Therefore, a substitute specification and abstract are filed herewith. No new matter has been added. Because this is a reissue application, the substitute specification indicates the changes with bracketing and underlining as required.

The proposed drawing amendments filed April 24, 2003 are resubmitted herewith under a separate cover letter, but with the proposed changes marked in red rather than highlighted. Also, formal versions of the amended drawing figures, including the label "amended," are submitted herewith under a separate cover letter.

By this amendment, claims 30-35 have been canceled in favor of new claims 36-41, respectively. The new claims 36-41 differ from claims 36-41 substantively in that the recitations related to the first ECC encoding/decoding have been amended to explicitly recite that the "data for demodulation" (for demodulating the modulated signals corresponding to the second data stream) present in the first data stream is subjected to the first ECC encoding and/or decoding. This claim limitation has been added to clearly distinguish the claims over the applied prior art as discussed in detail below.

Support for the claim recitations can be found at least at: column 31, lines 4-13; Fig. 156; Fig. 160(a); Fig. 41; and column 26, lines 22-28.

Claims 30-35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Farias in view of Fazel. This rejection is traversed and is inapplicable to new claims 36-41 for the following reasons.

In the system of Farias, the secondary channel is made to have a higher average energy than the main channel so that the secondary channel can be easily detected and thus used for synchronization. The Examiner states that the synchronization detector 206 and the relay 190 constitute a teaching of the first data stream having data for demodulation for demodulating the second data stream. As discussed above, each of claims 36-41 includes the new recitation that the first ECC encoding/decoding is applied to the data for demodulation, i.e., that the data for

demodulation is ECC encoded and/or decoded. The synchronization of Farias that the Examiner equates to the claimed data for demodulation is a higher energy level of the secondary channel, and is therefore not "data" that can be ECC encoded and/or decoded.

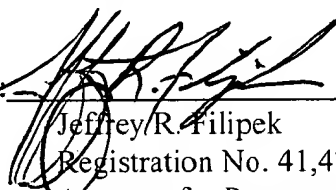
Moreover, as pointed out by the Examiner, Farias discloses ECC decoders, (see elements 194 and 195 in Fig. 10), but the synchronization does not pass through these ECC decoders 194, 195. Rather, the higher energy level of the secondary channel of Farias is detected by the synchronization detector 206, which then leads to timing generation and feedback loops. The fact that the synchronization of Farias is not subjected to ECC decoding can be seen in the circuit of Fig. 10 of Farias, and is obvious because the nature of the synchronization taught by Farias, i.e., a detectably higher energy level, is such that the synchronization is not "data" that can be ECC encoded or decoded; the synchronization of Farias is the actual existence of a higher energy level in the interlaced secondary channel. Accordingly, Farias does not disclose or suggest ECC encoding and/or decoding "data for demodulation" as recited in claims 36-41.

The Examiner relied on Fazel as showing "BCH" and "Reed Solomon" encoding/decoding, but Fazel does not remedy the absent disclosure of Farias discussed above. Therefore, each and every element of claims 36-41 is not met by the applied prior art of Farias and Fazel, or any obvious combination thereof. Therefore, it is submitted that claims 36-41 are allowable over the prior art of record and the present application is in condition for allowance.

The Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues.

Respectfully submitted,

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